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EXAMINER

BEYEN, ZEWDU A

ART UNIT

PAPER NUMBER

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/581,320	<b>Applicant(s)</b> BURMAN ET AL.	
	<b>Examiner</b> ZEWDU BEYEN	<b>Art Unit</b> 2461	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/06/2009</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

**Response to Amendment**

- This action is responsive to amendment dated 09/29/2009.
- Applicant's amendments filed on 09/29/2009 has been entered and considered.
- Claims 1-30 are amended.
- Claims 31-34 are added.
- Claims 1-34 are pending.
- The rejection to the 35 USC § 112 rejections is hereby withdrawn in view of Applicants' amended claims.
- Claims 1-34 stand rejected.

***Information Disclosure Statement***

1. An initialed and dated copy of Applicant's IDS form 1449 submitted 11/06/2009, is attached to the instant Office action.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-10, 12, 14, 17-26, and 28, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Altschuler to (US5465300), in view of Sinnarajah to (US2003/0035393)

**Regarding claim 1, and 31** Altschuler teaches a method of establishing a secure ,requested communication session between a calling terminal and a called terminal over a given physical channel, wherein the session requires the determination of session parameters before the session can be executed(see **fig.1 , fig.6 and abstract**)

determining, by means of at least one available session key (**i.e. user-identity**), whether any session parameters for a previous session between the terminals have been stored in the terminals (abstract , **discloses checking if the user-identity corresponds to a user-identity included on an approved list**)

if session parameters for a previous session between the terminals have been stored in the terminals, retrieving the stored session parameters (**i.e. an abbreviated secure call**) in each of the terminals, such that the requested session can be executed based on the retrieved session

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parameters (abstract, fig.1, and fig.6 disclose if the user-identity corresponds to a user-identity included on an approved list an abbreviated secure call is executed. In addition, fig.6 discloses updating the approved list every time when a user-identity that is not on the approved list detected. Thus, members of the approved list are terminals that have had established communication with other terminal previously).

Altschuler does not explicitly teach connection with said previous session, by using at least one available session key that has been selected for said previous session and stored together with said session parameters, and if said common session parameters have been stored in both the calling and the called terminals,

However, Sinnarajah teaches connection with said previous session, by using at least one available session key that has been selected for said previous session and stored together with said session parameters, and if said common session parameters have been stored in both the calling and the called terminals([0024] discloses using previously stored service configuration)

Therefore it would have been obvious to one ordinarily skilled in the art at the time the invention was made to enable the system of Altschuler connection with said previous session, by using at least one available session key that has been selected for said previous session and stored together with said session parameters, and if said common session parameters have been stored in both the calling and the called terminals, as suggested by Sinnarajah. This modification would benefit the system to reduce call setup latency (see abstract, Sinnarajah )

**Regarding claim 17**, Altschuler teaches a terminal adapted to establish a requested communication session with another terminal over a given physical channel, wherein the session requires the determination of session parameters before the session can be executed( **see fig.1 , fig.6 and abstract**),

means for determining, by means of at least one available session key(**i.e. user-identity**), whether any session parameters for a previous session between the terminals have been stored in the terminal (**abstract , discloses checking if the user-identity corresponds to a user-identity included on an approved list**)

means for retrieving the stored session parameters such that the requested session can be executed based on the retrieved session parameters (**i.e. an abbreviated secure call**), provided that the other terminal also has successfully retrieved the same session parameters (**abstract, fig.1, and fig.6 disclose if the user-identity corresponds to a user-identity included on an approved list an abbreviated secure call is executed. In addition, fig.6 discloses updating the approved list every time when a user-identity that is not on the approved list detected. Thus, members of the approved list are terminals that have had established communication with other terminal previously**)

Altschuler does not explicitly teach connection with said previous session, by using at least one available session key that has been selected for said previous session and stored together with said session parameters, and if said common session parameters have been stored in both the calling and the called terminals,

However, Sinnarajah teaches connection with said previous session, by using at least one available session key that has been selected for said previous session and stored together with

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said session parameters, and if said common session parameters have been stored in both the calling and the called terminals(**[0024] discloses using previously stored service configuration**)

Therefore it would have been obvious to one ordinarily skilled in the art at the time the invention was made to enable the system of Altschuler connection with said previous session, by using at least one available session key that has been selected for said previous session and stored together with said session parameters, and if said common session parameters have been stored in both the calling and the called terminals, as suggested by Sinnarajah. This modification would benefit the system to reduce call setup latency (see abstract, Sinnarajah )

**Regarding claims 2, and 18,** Altschuler teaches an available session key or keys includes the telephone number of at least one of the two terminals (**abstract, fig.4 discloses the session key as caller-ID, which is the telephone number of the terminal**)

**Regarding claim 3,** Altschuler teaches the calling terminal uses the telephone number of the called terminal as the available session key to detect a match between that telephone number and a stored session key associated with stored session parameters (**abstract , discloses checking if the user-identity corresponds to a user-identity included on an approved list**)

**Regarding claim 4,** Altschuler teaches the session keys include a primary session key and a corresponding secondary session key, (**fig.4 discloses user-identity and traffic key**) wherein at least one of the terminals, having detected a match between the primary session key and a stored session key associated with stored session parameters(**fig.4 discloses the stored user-identity and traffic key each corresponds to previous session parameters**) , retrieves the

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corresponding secondary session key and sends it to the other terminal(**fig.7 discloses generating traffic key and exchanging the traffic key** ).

**Regarding claim 5**, Altschuler teaches a secondary session key is used by the receiving terminal to retrieve the stored session parameters, even if no primary session key was available to the receiving terminal or if the receiving terminal had not detected any match between the primary session key and any stored session key (**abstract discloses that if there is no match found between the user-identity and approved list, a secure call set up executed. Further more, in fig 7, discloses setting up a secure call using a traffic key**).

**Regarding claims 6, and 21**, Altschuler teaches a secondary session key is used to confirm that the stored session parameters have been used for a previous session between the terminals(**fig.7 discloses generating traffic key and exchanging the traffic key, and fig.4 discloses stored user-identity and traffic key. Thus, traffic key also corresponds to a previous session**).

**Regarding claims 7, and 22**, Altschuler teaches a primary session key is the telephone number of at least one of the two terminals (**fig.5 discloses caller-ID which a telephone number**) and the secondary session key is any identification associated with the previous session (**fig.4 discloses traffic key that is associated with user-identity**).

**Regarding claims 8, and 23**, Altschuler teaches a secondary session key is a random number (**fig.7 box.80**) generated during a master-slave determination step of a session setup procedure for the previous session (**fig.7 discloses generating traffic key by exchanging messages**).



**Regarding claims 9, and 24,** Altschuler teaches a sending terminal uses a standard Master-Slave Determination (MSD) message containing the random number, to convey the secondary session key to the receiving terminal **(fig.7 box.96 , discloses sending the random number along with a message to a remote area).**

**Regarding claims 10, and 25,** Altschuler teaches a MSD message includes an indication that the random number serves as a secondary session key **(fig.7 box.96, discloses sending the random number along with a message to a remote area that discloses future key message).**

**Regarding claims 12, and 26 ,**Altschuler teaches a secondary session key is a separately defined .code, sequence number or the like, assigned for the previous session **(fig.7 box.96, discloses a traffic key or random number).**

**Regarding claims 14, and 28** Altschuler teaches each of the terminals store session parameters used during an executed session, together with at least one session key, in order to enable the use of stored session parameters in a new session **(abstract, fig.1, and fig.6 disclose if the user-identity corresponds to a user-identity included on an approved list an abbreviated secure call is executed. In addition, fig.6 discloses updating the approved list every time when a user-identity that is not on the approved list detected. Thus, members of the approved list are terminals that have had established communication with other terminal previously).**

**Regarding claim 19,** Altschuler teaches an available session key is a primary session key, and if a match is detected between the primary session key and a stored session key associated with

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stored session parameters, the terminal is adapted to retrieve a corresponding secondary session key and send it to the other terminal, **(abstract , discloses checking if the user-identity corresponds to a user-identity included on an approved list)** such that the secondary session key can be used by the receiving terminal to retrieve the stored session parameters, even if no primary session key was available to the receiving terminal, or if the receiving terminal have not detected any match between an available primary session key and any stored session key**(abstract discloses that if there is no match found between the user-identity and approved list, a secure call set up executed. Further more, in fig 7, discloses setting up a secure call using a traffic key).**

**Regarding claim 20**, Altschuler teaches an available session key is a primary session key, and the terminal is adapted to receive from the other terminal a corresponding secondary session key, and use it to retrieve the stored session parameters by detecting a match between that secondary session key and a stored session key associated with the stored session parameters**(fig.7 discloses generating traffic key and exchanging the traffic key, and fig.4 discloses stored user-identity and traffic key. Thus, traffic key also corresponds to a previous session)**

Claims 11, 13, 15-16, 27, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Altschuler in view of Sinnarajah to (US2003/0035393), and further in view of Coulombe to (US-PG-PUB-2005/0060411)

**Regarding claim 11**, Altschuler does not teach according to the ITU-T H.324 standard, a Terminal Capability Set (TCS) message is mandated as the very first message to be send in a

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session setup procedure, the receiving terminal interprets the random number in the MSD message as a secondary session key, if no TCS message was received before receiving the MSD message

However, Coulombe teaches a receiving terminal interprets the random number in the MSD message as a secondary session key, if no TCS message was received before receiving the MSD message, according to the ITU-T H.324 standard ( [0049] discloses **In message 302, user agent A, e.g., mobile terminal 202 of FIG. 2, transmits a SIP INVITE message to S-CSCF #1. S-CSCF #1 checks the media capabilities of user agent A as defined by the SDP definition for user agent A, i.e., SDP1, in step 304. The check consists of validating that the media capabilities described by SDP1 are compatible with the local network policies)**

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Altschuler receiving terminal interprets the random number in the MSD message as a secondary session key, if no TCS message was received before receiving the MSD message, as suggested by Coulombe. This modification would benefit the system of Altschuler to implement an optional parameter retrieval method.

**Regarding claims 13, and 27,** Altschuler does not teach an INVITE message is mandated as the first message to be sent in a session setup procedure according to the Session Initiation Protocol (SIP), header field information of the INVITE message is used as session key(s)

However, Coulombe teaches an INVITE message is mandated as the first message to be sent in a session setup procedure according to the Session Initiation

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Protocol (SIP), header field information of the INVITE message is used as session key(s) **[0049] discloses in message 302, user agent A, e.g., mobile terminal 202 of FIG. 2, transmits a SIP INVITE message to S-CSCF #1. S-CSCF #1 checks the media capabilities of user agent A as defined by the SDP definition for user agent A, i.e., SDP1, in step 304. The check consists of validating that the media capabilities described by SDP1 are compatible with the local network policies. The INVITE message with SDP1 is proxied to S-CSCF #2, which is the home proxy for user agent B, in message 306. S-CSCF #2 then checks the media capabilities of user agent A as defined by SDP1 and compares the session definition with the media capabilities of user agent B as in step 308. S-CSCF #2 has prior knowledge of the media capabilities of user agent B as obtained through the use of, for example: a registrar or a profile server; SDP descriptions obtained from a default SDP session in the registration or profile server; SDP descriptions obtained from a response to an OPTIONS request; or the UAProf specification).**

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Altschuler to include an INVITE message is mandated as the first message to be sent in a session setup procedure according to the Session Initiation Protocol (SIP), header field information of the INVITE message is used as session key(s), **as suggested by Coulombe.** This modification would benefit the system of Altschuler to implement a fast call setup using the information on the invite header.

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**Regarding claims 15, and 29,** Altschuler does not teach a terminal sending to the other terminal a message acknowledging its capability of using stored session parameters at a later session

However, Coulombe teaches a terminal sending to the other terminal a message acknowledging its capability of using stored session parameters at a later session ( [0051] **discloses the adaptation server then compares the SDP definitions for user agent A and user agent B, determines the resources that are required to translate the media streams between user agent A and B, and then reserves those resources to support the media session in step 312. The adaptation server then modifies the SDP1 definition for user agent A to form the modified SDP definition, SDPT1, if required. Similarly, the adaptation server modifies the SDP2 definition for user agent B to form the modified SDP definition, SDPT2, if required. The adaptation server then transmits the modified SDP definitions, SDPT1 and SDPT2, to S-CSCF #2 within acknowledgment message 314, where the modified SDP definitions provide updated IP address, port number, media type, codec, and attribute information to support the media session)**

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Altschuler terminal to send to the other terminal a message acknowledging its capability of using stored session parameters at a later session, as suggested by Coulombe. This modification would benefit the system of Altschuler to setup calls among appropriate terminals that have comparable capability.

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**Regarding claims 16, and 30** Altschuler does not teach a requested session is a multimedia call requiring the transfer of separate media streams for at least audio and video

However, Coulombe teaches a requested session is a multimedia call requiring the transfer of separate media streams for at least audio and video( **[0026] discloses a session initiated by SIP generally utilizes a combination of media content such as speech, audio and video streams, but the session may also contain shared applications such as whiteboard or text messages. Even network gaming sessions may be setup by SIP as long as all of the participating applications understand the required parameters for the game. SIP is especially advantageous when a variety of protocols and mechanisms are required in support of a particular session. In particular, Voice over IP (VoIP) requires session setup signaling between two User Agents (UA); a transport such as Real-time Transport Protocol (RTP) to carry the actual voice payload; and control such as the RTP Control Protocol (RTCP) to monitor the quality of the service and to generate reports to the network, all of which may be successfully handled in a SIP message exchange)**

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Altschuler requests a multimedia call requiring the transfer of separate media streams for at least audio and video, as suggested by Coulombe. This modification would benefit the system of Altschuler as a design choice.

Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Altschuler in view of Sinnarajah to **(US2003/0035393)**, and further in view Naka to **(US2004/0014532)**

**Regarding claims 32, 33 and 34**, the combination of Altschuler and Sinnarajah, does not explicitly teach wherein the session parameters include supported codec information regarding one or more codecs supported by each terminal and multiplexing scheme information indicating how plural information streams can be multiplexed in different ways into a single bit stream to be transmitted over a physical channel established between the terminals for the session

However, Naka teaches wherein the session parameters include supported codec information regarding one or more codecs supported by each terminal and multiplexing scheme information indicating how plural information streams can be multiplexed in different ways into a single bit stream to be transmitted over a physical channel established between the terminals for the session **(see abstract)**.

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of the combination of Altschuler and Sinnarajah wherein the session parameters include supported codec information regarding one or more codecs supported by each terminal and multiplexing scheme information indicating how plural information streams can be multiplexed in different ways into a single bit stream to be transmitted over a physical channel established between the terminals for the session, as suggested by Naka. This modification would benefit the system of the combination of Altschuler and Sinnarajah to setup calls among appropriate terminals that have comparable capability.

***Response to Argument***

1. Applicant's arguments with respect to claims 1, and 17, have been fully considered but are not persuasive.

**Applicant Argument:**

- The claim term "session parameters" relates to terminal multimedia communication capabilities and not to security provisions. The independent claims all recite "determination of common session parameters that define how information should be communicated and interpreted and which depend on multimedia communication capabilities of the calling and called terminals." Determining security provisions for a communication is not the same thing.

**Examiner Response:**

- Examiner respectfully disagrees. Applicant arguing matter that is not cited in the body of the claim

***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after



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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZEWDU BEYEN whose telephone number is (571)270-7157.

The examiner can normally be reached on Monday thru Friday, 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 1-571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Z. B./

Examiner, Art Unit 2461

/Huy D Vu/

Supervisory Patent Examiner, Art Unit 2461